

CIVIL DOCKET
UNITED STATES DISTRICT COURT

COOK

73-C-411
consolidated
w/73-C-51

JUDGE BRETT

Jury demand date: 3-8-73 by def. Puts & Calls, Inc.

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

COMMODITY OPTIONS CORPORATION,
an Oklahoma corporation,

Plaintiff,

vs.

PUTS AND CALLS, INC., a California
corporation, and PUTS AND CALLS OF
OKLAHOMA, INC., an Oklahoma corporation,

Defendants.

For plaintiff:

William R. Moss 1315 So Main
1310 Mid-Continent Bldg.
Tulsa, Oklahoma 74103 74119
(918) 587-4421 582-7205

Rick Loewenherz

Mid-Cont Bldg.

For defendant:

Richard T. Sonberg 583-2131
404 S. Boston Thompson Bldg 4735
Tulsa 74103

Jerome Beck

13750 Ventura Blvd.

Sherman Oaks, Calif. 91403

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 3-1-73	Clerk	2-6-73	Wm. Moss	15.00	
		2-8-73	C.D.No.35		15 00
J.S. 6 mailed 3-1-80	Marshal				
Basis of Action: Breach of Agreement.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

B

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-6-73	Complaint filed and Summons issued. v	
2-6-73	Motion for Preliminary Injunction, filed. (Order to Judge) v	
2-6-73	Order, filed, setting hearing on motion for preliminary injunction and requiring defts. to show cause. Ordered by the Court that this cause be set for hearing on 2-15-73, at 10:00 A.M., before Judge Barrow. (AEB-J)v -copies given to Pltf.'s atty.	
2-8-73	Application for appt. of special agent for service, filed. jj	
2-8-73	Order filed that Barrister's Attorney Service, Los Angeles, Calif. is appointed special agent to serve summons (AEB-J)jj c/c taken by pltf.	
2-8-73	Motion for Leave to Take Depositions w/Brief, filed. jj	
2-8-73	Order granting leave to take depositions and inspect documents within 30 days after commencement of action, filed. (AEB-J)jj c/c taken by pltf.	
2-9-73	Notice by pltf. of taking depositions of various parties in L.A., Calif., filed.rm (cert.cpy to pltf.)	
2-12-73	Pltf's motion for preliminary injunction, filed. hm	
2-12-73	Memorandum brief of law in support of motion for preliminary injunction and order setting hearing date, filed. hm	
2-12-73	Defts' special appearance, motion to quash service, motion to dismiss and motion to change venue, filed. hm	
2-12-73	Defts' memorandum brief in support of motion to dismiss, filed. hm	
2-12-73	Defts' motion to quash taking of deposition and issuance of subpoenas under notice to take deposition, filed. hm	
2-12-73	Memorandum of authorities in support of motion to quash depositions and subpoenas, filed. hm	
2-12-73	Ordered that Pltf. file responsive brief to defts' special appearance, motion to quash service, motion to dismiss and motion to change venue within 10 days. (AEB-J)hm	
2-14-73	It is ordered that this case is stricken from the docket of 2-15-73. (AEB-J)h	
2-14-73	Defts' Notice to take depositions of pltf, filed. r	
2-16-73	Reporter's Transcript of Proceedings, filed. r	
2-21-73	Mtn. for Protective Order Limiting the Scope of Discovery by Deft., filed. jj	
2-21-73	Brief in Support of Mtn. for Protective Order, filed. jj	
2-21-73	Ordered that defendant is granted 10 days from this date in which to respond to plaintiff's motion for protective order limiting the scope of discovery by deft. (AEB-J) jj	
2-21-73	Summons, ret. & filed: served Puts & Calls Inc., Sherman Oaks, Cal., 2-8-73; Puts & Calls of Oklahoma, Inc., Tulsa, 2-12-73; John Rogers, Secy. of State, O.C., 2-15-73. (USM \$26.32)g	

B

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-28-73	Pltff's Brief in Response to Defendants' Special Appearance, Mtn. to Quash Service, Mtn. to Dismiss, and Mtn. to Chg. Venue, filed. jj	
2-28-73	Mtn. for Temporary Restraining Order, filed. jj	
2-28-73	Brief in Support of Granting Injunctive Relief without Necessity of Bond, filed. jj	
2-28-73	It is ordered that this case is set before U.S. Mag., Morris Bradford, on Thurs. March 1, 1973 at 2:00 P.M., for hearing and recommendation on plaintiff's motion for Temporary Restraining order. (AEB-J)h <i>phone call 2-28-73</i>	
3-1-73	Supplemental Brief of Deft. in support of mot. to dismiss, filed. v	
3-1-73	Case called for hearing on TRO. It is recommended that def't's motion to dismiss the complaint be sustained & pl'tfs. given 5 days to file an amended complaint. Hearing on applic. for temp. injunction set for 3-8-73 at 1:30 p.m. before Magistrate. Mr. Sonberg to prepare findings & recommendations & proposed order. (MLB-Mag)hm	
3-2-73	Amended complaint, filed. ds	
3-2-73	Amended motion for preliminary injunction, filed. ds	
3-2-73	Plaintiff's notice to take depositions, filed. ds subpoenas issued. ds	
3-8-73	Deposition of H. Russell Wilson taken 2-21-73, by Frank L. Peterson, CSR, taken on behalf of defts., filed. jj (\$255.60 cost pd. by def.)	
3-8-73	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm	
3-8-73	Defts. Answer to Amended Complaint/with <u>DEMAND FOR JURY TRIAL</u> , filed. jj	
3-8-73	Subpoena, ret. & filed: served Marguerite Gibson, Tulsa, 3-6-73. g (USM \$3.68)	
3-8-73	Order dismissing complaint with leave to amend, filed. (AEB-J)hm (copies mailed) (Amended complaint filed 3-2-73)	
3-26-73	Findings of fact and recommendations of Magistrate on motion for preliminary injunction, filed. (MLB-Mag)hm	
3-26-73	Summons, ret. & filed: xxxxxx Puts & Calls, Inc., Sherman Oaks, Cal., not served. (USM \$ 2.00)g	
3-27-73	Motion for New Trial & Amendment of Findings, filed. jj	
3-27-73	Memorandum of Law in Support of Mtn. for New Trial & Amendment of Findings, filed. jj <i>findings of fact to Mag.</i>	
4-11-73	Transcript of proceedings had on 3/8/73 on TRO, filed. <i>clerk's copy</i> (T. Holmes, reptr)rm	
9-26-73	Order, filed, that defs. mo/consolidate is granted; that this case is consolidated with 73-C-51; and that 73-C-51 is transferred to Judge Allen E. Barrow. (AEB-J)(FD-J)rm	

JUDGE BRETT
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DATE	PROCEEDINGS	Date Order or Judgment Noted
6-13-74	Order of USDC, Central Dist. Calif. (73-02706) staying all action in these consolidated cases until further order of court, filed. g	
<u>1978</u>		
<u>1-13</u>	MO: Case set for report on status of case to the Court on 2-1-78 at 10:00 a.m. (AEB-J)k cps by cert ml	
2-1	Case is stricken from disposition docket upon receipt of letter from Pltf. counsel stating status of matter. (RSR-Mag) b	
<u>1979</u>		
3-16	MO: Case transferred to Judge H. Dale Cook. (JCS-Clk)k	
11-9	MO: CASE TRANSFERRED TO JUDGE THOMAS R. BRETT. (JCS-CLK)jc	
<u>1980</u>		
Jan. 31	MO: CASE SET FOR STATUS REPORT HEARING ON MARCH 6, 1980, at 2:30 P.M. (TRB-J) v c/m	
Feb. 1,	JOINT APPLICATION for dismissal.0 to J. cs	
Feb. 6	ORDER of Dismissal, dismissing 73-C-44 & 73-C-51 including complaints and cross claims. (TRB-J)cs cps/mld.	